

DJF:jms

UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

**BHARATKUMAR G. THAKKER, et al.,** : **NO. 1:CV-20-0480**  
**Petitioner-Plaintiffs** :  
: **(Jones, J.)**  
**v.** :  
:  
**CLAIR DOLL, in his official** :  
**Capacity as Warden of York** :  
**County Prison, et al.,** :  
**Respondents-Defendants** : **(Filed Electronically)**

## UNOPPOSED MOTION TO EXCEED PAGE LIMITATION

Respondents-Defendants respectfully request the Court to permit them to exceed the fifteen-page, 5,000 word limit as provided in M.D. Pa. Local Rule 7.8 in filing Respondents'-Defendants' Brief in Opposition to Permanent Injunction. In support thereof, Respondents-Defendants aver the following:

1. Petitioners, Bharatkumar G. Thakker, Adebodun Adebomi Idowu, Courtney Stubbs, Rigoberto Gomez-Hernandez, Rodolfo Agustin Juarez-Juarez, Meiling Lin, Henry Pratt, Jean Herdy Christy Augustin, Mayowa Abayomi Oyediran, Agus Prajoga, Mansyur, Catalino Domingo Gomez-Lopez, and Dexter Anthony Hillocks, were detainees of the Immigration and Customs Enforcement (ICE), previously housed at the Pike County Correctional Facility, in Lords Valley, Pennsylvania; York County Prison, in York,

Pennsylvania; or Clinton County Correctional Facility, in McElhattan, Pennsylvania – collectively “Petitioners”.

2. On March 24, 2020, Petitioners, through counsel, filed a Petition for Writ of Habeas Corpus (docketed as a Complaint), and on March 25, 2020, a Motion for Temporary Restraining Order and/or Preliminary Injunction with a supporting brief. (Doc. 1, Pet.; Doc. 10, Motion; Doc. 12, Memo of Law in Support of TRO Motion.)
3. As relief, Petitioners seeks a writ of habeas corpus, or an injunction, or declaratory relief finding their detention violates due process and ordering their release. (Id.)
4. On March 25, 2020, this Court issued an Order directing Respondents to file a brief in response to Petitioners’ TRO “before the opening of business on Monday, March 30, 2020.” (Doc. 14, Order).
5. On March 29, 2020, Respondents filed a Brief in Opposition to Petitioners’ Motion for Temporary Restraining Order and/or Preliminary Injunction. (Doc. 35, Opp’n.)
6. On March 31, 2020, this Court granted Petitioners’ request for a temporary restraining order and released ten detainees on their own recognizance. (Doc. 47, Order.)

7. The March 31, 2020 Order further directed Petitioners' to show cause by April 7, 2020, at noon why the TRO should not be converted to a Preliminary Injunction. (*Id.*)
8. Respondents will prepare a brief in opposition that addresses various aspects of each Petitioner's immigration history, updated conditions at each detention facility, ICE preparedness plans for infectious disease, and arguments controverting the Court's findings on the constitutional aspects of Petitioners' challenges to their detention.
9. In order to demonstrate all of the aforementioned defenses and the underlying facts relevant to each of Petitioners' claims, it is necessary for Respondents to exceed the fifteen-page, 5,000-word limit of Local Rule 7.8.
10. Pursuant to Local Rule 7.8 authorization to exceed the limitations must be filed two working days prior to the due date of the brief –in this case, by April 3, 2020. Local Rule 7.8(b)(3).
11. The undersigned requests this Court allow their opposition brief to be 50 pages; however, it is expected the brief will likely be much less.
12. Petitioners will not be prejudiced in granting this motion; indeed, granting this motion should assist them in understanding all of the defenses presented to oppose their motion.

13. Petitioners' counsel concurs in this request. As such, Respondents are not required to file a brief in support of this motion.

WHEREFORE, Respondents ask the court to grant them leave to file a brief in opposition to Petitioners' motion that exceeds the page limit and word count set forth in the local rules, not to exceed 50 pages, and likely less.

Respectfully submitted,

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Date: April 3, 2020

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**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that she is an employee in the Office of the United States Attorney for the Middle District of Pennsylvania and is a person of such age and discretion as to be competent to serve papers.

That on April 3, 2020, she served a copy of the attached

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by electronic service pursuant to Local Rule 5.7 and Standing Order 04-6, ¶12.2 to the following individual(s):

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s/Joanne M. Sanderson

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